

**ADDITIONAL QUESTIONS AND ANSWERS
RESIDENT GRIEVANCE SYSTEMS LEGAL ASSISTANCE PROVIDERS
DHMH/OPASS 16-14646**

September 25, 2015

1. Section 3.1 Page 24

May Offerors bid in the aggregate for all awards being made under RFP's 16-14644, 16-14645, and 16-14646 (with combined financial proposals) rather than bidding for each individual facility referenced in those RFP's, particularly if such combined bids would clearly be in the best financial or other interest of the State?

Answer: *An Offeror may bid either or both facilities.(1.1.3) Offerors shall submit separate prices on the Financial Forms provided.*

2. Section 3.1.5 Page 24

This section states that Offerors may bid on either or both facilities. May Offerors bid (with combined financial proposals) in the aggregate for the award for both facilities rather than submit separate bids for each facility?

Answer: *No. Offerors wanting to bid more than one RFP must submit separate bids for each RFP.*

3. Section 3.2.1.2 Page 24

What level of supervision is required for new staff assigned to the grant who do not have the requisite experience?

Answer: *The RFP requires all attorneys performing services under the Contract to have 3 years of specified experience (3.2.1.2) and all paralegals performing legal services under this Contract must be supervised at all times by a licensed attorney of the firm (3.2.1.3).*

4. Section 3.2.1.4 Page 25

What is the reason that the number of hours that the assigned attorney spends per resident in the SETT Jessup averages over 27 (twenty seven) hours per person but the hours per resident at the SETT Sykesville averages over than 18 (eighteen) hours per resident?

Answer: *The table shows the estimated average number of residents and the historical usage data. There is no guarantee of minimum or maximum usage. All LAP services will be closely monitored with this Contract.*

5. **Section 3.2.1.4** Page 25

Does the historical data on number of hours include the Contractor's travel time to and from the facility or elsewhere to perform work required by the contract?

Answer: *Yes*

6. **Section 3.2.1.5** Page 25

What is the reason for prohibiting the Contractor from seeking remuneration through any other source for these services?

Answer: *As reflected in the Financial Proposal Instructions, prices are fully loaded including all costs/expenses associated with the provision of services required by the RFP.*

7. **Section 3.2.7.1** Page 27

If Maryland Legal Aid is awarded the Contract, would the language of 3.2.7.5 prohibit it from providing (free of charge) legal assistance to a resident in another area of law (for example, family law) in which Maryland Legal Aid has expertise, with the clear understanding that such services would not be covered or reimbursable under the contract?

Answer: *Yes.*

8. **Section 3.2.7.1** Page 27

What is the expectation of the state if the Maryland Legal Aid counsel for a resident under this grant needs a referral to Maryland Legal Aid? To what other entity would a referral that was appropriate for Maryland Legal Aid be made?

Answer: *This is a contract and not a grant. Referral can be made to Maryland Volunteer Lawyers Association or other available pro-bono legal services. (3.2.8.1)*

9. **Section 3.2.10** Page 28

What is the average number of training requests per year and for how many people?

Answer: *The Contract only requires one training session per Contract year. The training is for facility staff and RGS staff. The number of attendees is dependent on scheduling and staff availability.*

10. Section 3.2.15.1 Page 29

What are examples of “good cause” where visits with residents would be allowed outside of normal business hours?

Answer: *The Contract contemplates that Contractor visits will be scheduled in advance during business hours to minimize disruption to all parties. The Contract also recognizes that on rare occasions advance planning may not be possible. The decision of what constitutes good cause will be made on a case-by-case basis with due regard to the needs of the resident and other treatment programs and activities.*

11. Section 3.2.19.1 Page 29

Are individual time records required to be kept for Maryland Legal Aid personnel, including support staff, for all work performed in accordance with this Contract?

Answer: *For every case, an individual time record is required to be kept for the Contractor, including all staff that worked on the case, for all work performed in accordance with this Contract (3.2.20.1; 3.2.20.3(5-9)).*

12. Section 3.2.19.3(D)(5) Page 30

What is the definition of a professional service performed on a case? Would the designations “advice” or “representation” satisfy this requirement?

Answer: *Professional services are services under the Contract performed by the Contractor and include advice or representation consistent with the Scope of Work. (3.2)*

13. Section 3.2.20.1 Page 30

Would contract reports require disclosure of information that is protected by confidentiality rules of the Maryland Lawyer’s Rules of Professional Conduct, information that is subject to a privilege, or information that could be considered attorney work product?

Answer: *No*

14. Section 4 Page 36

4.1 Two-Part Submissions

Assuming that Maryland Legal Aid will submit two proposals (one for each facility), are attachments needed for the “duplicate” Volume 1? The RFP states that “*A technical proposal referencing the Offeror’s first complete technical proposal, for any information that is the same as the information proposed for the first facility and including any information that is distinct to the subsequent facility; . . .*” It does not make clear if the attachments that are included in the first proposal are needed in the second.

Answer: *Submit one complete proposal (Technical and Financial) for the first facility. For the second facility, submit a separate, two volume Proposal with Volume 1 referencing the first Technical proposal for information applicable to both facilities as well as any distinct information applicable to just the second facility. The second Proposal also requires its own Volume 2.*

15. **Attachment K** Page 42-3 and 47

The RFP states that the submission of Attachment K-HIPAA Business Associate Agreement is to be completed and submitted within five (5) Business Days of receiving notification for award. “However, to expedite processing, it is suggested that this document be completed and submitted with the Technical Proposal.” (page 48). If an Offeror submits Attachment K with its Technical Proposal, should it be included under Tab O – “Additional Required Technical Submissions”?

Answer: *Yes.*

***** NOTE *****

PLEASE BE ADVISED THE DEPARTMENT WILL NOT CONSIDER FURTHER QUESTIONS FOR THIS SOLICITATION.